

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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HC2, INC.,

Plaintiff-Counter Defendant,

-v-

ANDREW DELANEY,

Defendant-Counter Claimant.  
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: Hon. Lewis J. Liman, U.S.D.J.

: Civil Action No. 1:20-cv-3178-LJL

:

: **NOTICE OF PLAINTIFF-COUNTER**

: **DEFENDANT HC2, INC.'S MOTION TO**

: **DISMISS DEFENDANT-COUNTER**

: **CLAIMANT'S AMENDED**

: **COUNTERCLAIMS**

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**ORAL ARGUMENT REQUESTED**

**PLEASE TAKE NOTICE** that, upon the accompanying Brief in Support of its Motion to Dismiss Defendant-Counter Claimant's Amended Counterclaims, filed July 31, 2020, and upon all the papers and proceedings previously had herein, Plaintiff-Counter Defendant will move this Court before the Honorable Lewis J. Liman, United States District Judge, Southern District of New York, at the United States Courthouse for the Southern District of New York, at a date and time set by the Court, for a judgment, pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, dismissing Defendant-Counter Claimant's Amended Counterclaims for failure to state a claim upon which relief can be granted, entering judgment for Plaintiff-Counter Defendant, and for such other and further relief as the Court deems just and proper.

Respectfully Submitted,

**OGLETREE, DEAKINS, NASH,  
SMOAK & STEWART, P.C.**

*Attorneys for Plaintiff-Counter Defendant  
HC2, Inc.*

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